

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC,

:

Judgment Creditor,

:

-against-

:

Case Nos. 11 CV 1590-LTS-HBP and
11-8726-LTS

NOVA GROUP, INC., as trustee, sponsor and
fiduciary of THE CHARTER OAK TRUST
WELFARE BENEFIT PLAN,

:

:

Judgment Debtor.

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NOTICE OF CROSS-MOTION FOR TURNOVER

PLEASE TAKE NOTICE that, upon the Declaration of Paula K. Colbath and exhibits attached thereto and accompanying Memorandum of Law, dated December 4, 2014, Petitioner/Judgment Creditor Universitas Education, LLC (“Universitas”), by its attorneys Loeb & Loeb LLP, will move this Court on December 16, 2014 before the Hon. Laura Taylor Swain, at the United States Courthouse located at 500 Pearl St., New York, NY 10007, for an Order, pursuant to Fed. R. Civ. P. 69(a)(1) and N.Y. C.P.L.R. § 5225(b):

1. Directing Penn Mutual Life Insurance Company to pay to Universitas any death benefits payable to the Grist Mill Trust Welfare Benefit Plan arising from any policy insuring the life of Lawrence O. Fischer, including any death benefits payable under policy number 8199632;
2. Directing Life Insurance Company of the Southwest to pay to Universitas any death benefits payable to the Grist Mill Trust Welfare Benefit Plan arising from any policy insuring the life of Lawrence O. Fischer, including any death benefits payable under policy number LS0147497; and
3. Granting such other and further relief as the Court deems just and proper.

By its Memorandum of Law, Universitas also opposes the motions appearing at Dkt Nos. 498, 502, and 507 (Case No. 11-cv-1590).

Dated: December 4, 2014
New York, New York

LOEB & LOEB LLP

By: /s/ Paula K. Colbath
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